

1 FIFTH AMENDMENT TO LICENSE AGREEMENT NO. 33069

2 **33069**

3 THIS FIFTH AMENDMENT TO LICENSE AGREEMENT NO. 33069 is made  
4 and entered, in duplicate as of January 18, 2018 for reference purposes only, pursuant to  
5 a minute order adopted by the City Council of the City of Long Beach at its meeting held  
6 on March 5, 2013, by and between CONTE PRODUCTIONS ("Licensee"), and the CITY  
7 OF LONG BEACH, a municipal corporation ("City").

8 WHEREAS, City and Licensee entered into Agreement No. 33069 wherein  
9 City granted Licensee a non-exclusive revocable license to use the Marina Parking Area  
10 for the sole purpose of conducting an arts and crafts market for the sale of arts and crafts  
11 items; and

12 WHEREAS, City and Licensee desire to amend the Agreement to set forth  
13 holdover provisions;

14 NOW, THEREFORE, in consideration of the mutual terms and conditions in  
15 Agreement No. 33069 and herein, the parties agree as follows:

16 1. Section 27 is hereby added to Agreement No. 33069 to read as  
17 follows:

18 "27. Holding Over. This License shall terminate without any further notice  
19 as of the License expiration date set forth in Section 3 above. Any holding over by Licensee  
20 after the License expiration date shall not constitute a renewal or extension or give  
21 Licensee any rights in or to the Marina Parking Area except as expressly provided in this  
22 License. Any holding over after the License expiration date with the consent of City shall  
23 be construed to be on a month-to-month basis, at a license fee based on the terms and  
24 conditions specified in Section 22 above."

25 2. Except as expressly amended herein, all terms and conditions in  
26 Agreement No. 33069 are ratified and confirmed and shall remain in full force and effect.

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OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

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IN WITNESS WHEREOF, the parties have caused this document to be duly executed with all formalities required by law as of the date first stated herein.

CONTE PRODUCTIONS

1-28-18, 2018

By Bj Conte  
Name Bj Conte  
Title President

1-28, 2018

By Jamie Janssen  
Name Jamie Janssen  
Title Vice President

"Licensee"

CITY OF LONG BEACH, a municipal corporation

2/21, 2018

By [Signature]  
City Manager

"City"

This Fifth Amendment to Agreement No. 33069 is approved as to form on

2/1, 2018.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy